IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ABBOTT CARDIOVASCULAR SYSTEMS, INC. and ABBOTT LABORATORIES, INC., Plaintiffs, v. MEDTRONIC VASCULAR, INC. and MEDTRONIC USA, INC. Defendants.	)	Civil Action No. 98-80 (SLR) (Consolidated with C.A. No. 98-314 (SLR) and C.A. No. 98-316 (SLR)) **REDACTED PUBLIC VERSION**

DECLARATION OF THADDEUS R. TOLLESON, M.D., F.A.C.C.

I, Thaddeus R. Tolleson, hereby declare as follows:

1. I am a partner, interventional cardiologist, and Director of Research with Cardiovascular Consultants in Tyler, Texas. I also serve as Director of Peripheral Vascular Interventions at the Mother Frances Heart Institute.

2. I graduated from the University of Texas Medical School at Houston in 1993. After completing a residency in Internal Medicine at the University of Texas Southwestern Medical Center in Dallas, I completed a fellowship in Cardiology and a separate fellowship in Coronary and Peripheral Interventional Cardiology at the Duke University Medical Center in Durham, North Carolina. I am Board-certified in Interventional Cardiology, Nuclear Cardiology, General Cardiology, and Internal Medicine, and I am a Fellow of several cardiology professional societies, including the American College of Cardiology and the American Heart Association. I currently serve on the American Heart Association's Scientific Council on Clinical Cardiology. A copy of my *curriculum vitae*, which includes further details on my qualifications, is attached hereto as Exhibit A.

REDACTED

4. Driver is my first choice of bare-metal stent in most stent interventions because it is, by far, the most deliverable stent on the market. I have had a number of experiences where Driver was the only stent I could deliver through an especially tortuous or calcified blood vessel. Whereas there have been several occasions where I was able to successfully cross a lesion with Driver or MicroDriver that I could not cross with an ACS or Boston Scientific stent, I have never had a situation where I was able to cross a lesion with an ACS or Boston Scientific stent that I could not cross with Driver or MicroDriver.

5. While drug-eluting stents are an important option for certain patients (such as those at a high risk of restenosis), in light of recent studies that have called attention to the potential increased risks of drug-eluting stents (such as late stent thrombosis), I have recently reduced my use of drug-eluting stents in favor of Driver. Given the questions concerning the safety of the currently available drug-eluting stents, I believe that Driver is the most suitable stent device for many categories of patients, particularly those patients with large blood vessels (*e.g.*, 3.0mm or greater) or those who otherwise have a low risk of restenosis.

6. I have been asked to describe the effect that an injunction against the sale of Driver and MicroDriver in the United States would have on my patients, as well as on the practice of interventional cardiology generally. In my opinion, if Driver/MicroDriver were not available,. I would be unable to treat the subset of my patients with tortuous, calcified, or otherwise difficult anatomy as the other currently available bare metal stents lack the

deliverability to successfully cross many of these lesions. In these instances, patients would be forced to undergo more invasive surgical procedures to treat their heart disease, such as coronary bypass surgery.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 24, 2007, at Tyler, Texas.

Thaddeus R. Tolleson, M.D., F.A.C.C.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 8, 2007 I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send notification of such filing to Frederick L. Cottrell, III.

I further certify that on November 8, 2007 I served copies of the foregoing to the following counsel in the manner indicated:

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